

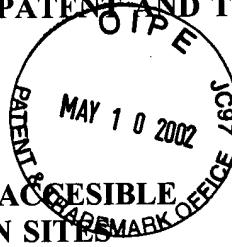
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Lyamichev *et al.*

Serial No.: 09/882,945

Filed: 06/15/01

Entitled: NUCLEIC ACID ACCESSIBLE
HYBRIDIZATION SITES



Group No.:

Examiner:

**PRELIMINARY AMENDMENT AND RESPONSE TO
NOTICE TO COMPLY WITH REQUIREMENTS
FOR PATENT APPLICATIONS
CONTAINING NUCLEOTIDE SEQUENCE
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box Sequence, P.O. Box 2327, Arlington, VA 22202.

Dated: 5-7-02

By: Mary Ellen Waite

Mary Ellen Waite

Sir or Madam:

This is responsive to the "NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES," mailed March 12, 2002 and setting a two-month period for response which ends on May 12, 2002. Prior to examination of the instant application, please amend the application as follows.

IN THE SPECIFICATION:

Please substitute the paper copy of the Sequence Listing filed June 15, 2001 as pages 227-276 with the attached substitute Sequence Listing pages 1-99.

IN THE CLAIMS:

Please renumber the Claims pages from page "277-284" to --326-423-.

IN THE ABSTRACT:

Please renumber the Abstract page from page "285" to --424--.

R E M A R K S

Applicants submit this Preliminary Amendment to provide as a separate part of the disclosure, a substitute paper copy of the "Sequence Listing" pursuant to 37 C.F.R. §§ 1.821-1.825. As such, Applicants submit that no new matter has been introduced by these amendments. In addition, Applicants submit on floppy disk the Sequence Listing in computer readable form. Applicants respectfully request entry of this Preliminary Amendment prior to examination of the present application.

Dated: 5/7/02



David A. Casimir
Registration No. 42,395

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
415.904.6500